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A
Full, Clear, and Succinct Discussion
OF THE
PRELIMINARY ARTICLES
OF
P E A C E.

Full, Complete, and Succinct Discussion



PRELIMINARY ARTICLES

OF

P. E. A. C.

LONDON

*K. Great Britain and Ireland
George III. King*

A

Full, Clear, and Succinct DISCUSSION
OF THE
PRELIMINARY ARTICLES
OF

P E A C E,

As Published by Authority.

Most humbly submitted to

The KING, the SENATE, and the PEOPLE.

By an EMINENT CITIZEN.

Magna non latitant mala diu.

SENECA.

Rarus Amor Patriæ ratione potentior omni.

OVID.

L O N D O N :

Printed for S. WILLIAMS, on LUDGATE-HILL.

[Price One Shilling.]

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OF THE
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OF THE

P E F A C E



As I have been authorized by Authority

to publish this

THE KING, the SENATE, and the PEOPLE
By an Eminent CITIZEN

London: Printed and Sold by

W. B. E. at the British Museum

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Full, Clear, and Succinct Discussion
OF THE
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THE treaty now depending between Great Britain, France, and Spain, attracting the attention of all Europe, and being of the utmost consequence to the present and future welfare of this country, it is no doubt of the utmost importance to us to scan deliberately the Preliminary Articles which are to serve as a basis for this treaty, to observe if there is any uncertainty in them which may be made the foundation of future dissensions; and to consider if they are as honourable and beneficial, as a glorious train of most important successes undoubtedly intitle us to expect.

In order therefore to enable all my countrymen to make a true judgment of these momentous questions, I shall, without farther introduction, lay before them the Preliminaries themselves; together with such deductions from them as have arisen to me from a cool and dispassionate perusal thereof, as well as from a due consideration of the respective claims, rights, behaviour, and circumstances, of the several belligerent powers therein concerned.

In the Name of the Most Holy Trinity.

REMARK.

THE King of Great Britain, and the Most Christian King, animated with the reciprocal desire to re-establish union and good understanding between them, as well for the good of mankind in general, as for that of their respective kingdoms, states, and subjects, having reflected, soon after the rupture between Great Britain and Spain, on the state of the

FROM this introduction, it in some measure appears, that France and Spain soon began to repent of their having put the vigour and firmness of our late popular minister to so severe a trial; and that he was no sooner displaced, than they began to entertain hopes, by secret negotiation, to blast our laurels, and wrest our trophies from us. Having experienced

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the negotiation of last year (which unhappily had not the desired effect) as well as on the points in dispute between the crowns of Great Britain and Spain; their Britannick and Most Christian Majesties began a correspondence to endeavour to find means to adjust the differences subsisting between their said Majesties. At the same time, the Most Christian King having communicated to the King of Spain these happy dispositions, his Catholick Majesty was animated with the same zeal for the good of mankind, and that of his subjects, and resolved to extend and multiply the fruits of peace by his concurrence in such laudable intentions. Their Britannick, Most Christian, and Catholick Majesties, having, in consequence, maturely considered all the above points, as well as the different events which have happened during the course of the present negotiation, have, by mutual consent, agreed on the following articles, which shall serve as a basis to the future treaty of peace. For which purpose, his Britannick Majesty has named and authorised, John Duke and Earl of Bedford, Marquess of Tavistock, &c. Minister of State of the King of Great Britain, Lieutenant General of his Forces, Keeper of his Privy Seal, Knight of the most Noble Order of the Garter, and his Britannick Majesty's Minister Plenipotentiary to his Most Christian Majesty; his Most Christian Majesty, Caesar Gabriel de Choiseul, Duke of Praslin, Peer of France, Knight of the Most Christian King's Orders, Lieutenant General of his Forces, Councillor in all his Councils, and Minister and Secretary of State, of his Commands, and Finances; and his Catholick Majesty has likewise named and authorised Dom Jerome Grimaldi, Marquis de Grimaldi, Knight of the Most Christian King's Orders, Gentleman of the Bed-Chamber to his Catholick Majesty in Employment, and his Ambassador Extraordinary to his Most Christian Majesty; who, after having duly communicated to each other their full powers in good form, have agreed on the following Articles.

Article I.

As soon as the preliminaries shall be signed and ratified, sincere friendship shall be re-established between his Britannick Majesty and his Most Christian Majesty, and between his said Britannick Majesty and his Catholick Majesty, their kingdoms, states, and subjects, by sea, and by land, in all parts of the world. Orders shall be sent to the armies and squadrons, as well as to the subjects of the three powers, to stop all hostilities, and to live in the most perfect union, forgetting what has passed, of which their sovereigns give them the order and example: And, for the execution of this article, sea-passes shall be given, on each side, for the ships, which shall be dispatched to carry the news of it to the respective possessions of the three powers.

Remarks on Article I.

By comparing this article with the introduction, the impropriety thereof will be very apparent. In the introduction it is said, that these preliminaries "shall serve as a basis to the future treaty of peace," yet by this first article the peace would seem to be rather already firmly established than now only in the course of treaty. By the royal proclamation lately published; a *cessation* of hostilities is there commanded. By the word *cessation* (if I rightly understand it) is meant a forbearance of arms during some particular period; and which, in fact, is understood to be therein specified. By this first article the subjects of the three belligerent powers concerned in this treaty are ordered "to live in the most perfect union, forgetting what is past," without any regard

to how long we are to live so, or the admitting a possibility of the renewal of hostilities. If we are now to *forget* what is past, we must consequently *forget* all the causes of the war, and all those differences that gave rise to it; yet (unless these preliminaries are to be deemed as an absolute peace) how are we to *forget* them till a final peace is concluded? If these preliminaries should not be productive of a definitive treaty, are we, upon the recommencement of hostilities, immediately to *remember* again what we have *forgot*, or are we to go to battle again without having any injury to resent? In fine, this article does not appear properly worded; at least, there is no doubt an omission, in the not mentioning some particular time, during which we are to live in amity with our new-made friends.

Article II.

His Most Christian Majesty renounces all pretension, which he has heretofore formed, or might have formed, to Nova Scotia, or Acadia, in all its parts, and guaranties the whole of it, with all its dependencies, to the King of Great Britain: Moreover, his Most Christian Majesty cedes, and guaranties to his said Britannick Majesty, in full Right, Canada, with all its dependencies, as well as the island of Cape Breton, and all the other islands, in the gulph, and river of St. Laurence, without restriction, and without any liberty to depart from this cession and guaranty, under any pretence, or to trouble Great Britain in the possessions above-mentioned. His Britannick Majesty, on his side, agrees to grant to the inhabitants of Canada the liberty of the Catholick religion: He will, in consequence, give the most exact and the most effectual orders, that his new Roman Catholick subjects may profess the worship of their religion, according to the rites of the Roman church, as far as the laws of Great Britain permit. His Britannick Majesty further agrees, that the French inhabitants, or others who would have been subjects of the Most Christian King in Canada, may retire, in all safety and freedom, wherever they please; and may sell their estates, provided it be to his Britannick Majesty's subjects, and transport their effects, as well as their persons, without being restrained in their emigration, under any pretence whatsoever, except debts, or criminal prosecutions: The term, limited for this emigration, being fixed to the space of eighteen months, to be computed from the day of the ratification of the definitive treaty.

Article III.

The subjects of France shall have the liberty of fishing and drying, on a part of the coasts of the island of Newfoundland, such as it is specified

Remarks on Article II.

As the boundaries of Canada are neither here nor any where else in these preliminaries ascertained, the same room seems now left for cavil and dispute with respect to the boundaries of Canada, as was in the last treaty of peace with regard to those of Acadia or Nova-Scotia; and as that oversight gave rise to the present war, it is surely not unreasonable to suppose, if this new article before us, which is of more than equal concern with that of Acadia, is left at the signing of the definitive treaty as vague and destitute of precision as it now stands, that it may be productive of as disagreeable consequences as the other. It has been objected to this article, that provision is therein made for the late subjects of the French King, either to retire, or remain in free use of their religion; and that throughout the whole preliminaries there is no such stipulation made for those subjects of Great Britain who may have settled in any of the conquered places now ceded to France, and chuse to remain there. But here it is proper to observe, that the ministry have in this case acted upon the most just and solid foundation, for surely those free-born subjects of Great Britain, who for the sake of gain would chuse to live under a French government preferably to a constitution founded on the most generous principles, cannot complain that they are left to abide by the consequences of such a self-interested preference.

Remarks on Article III.

When the perfidy of the French is considered in respect to the treaty of Utrecht (of which I shall speak more particularly in the article

specified in the XIIIth article of the treaty of Utrecht; which article shall be confirmed and renewed by the approaching definitive treaty, (except what regards the island of Cape Breton, as well as the other islands in the mouth and in the gulph of St. Laurence): And his Britannick Majesty consents to leave to the Most Christian King's subjects the liberty to fish in the gulph of St. Laurence, on condition that the subjects of France do not exercise the said fishery, but at the distance of three leagues from all the coasts belonging to Great Britain, as well those of the continent, as those of the islands situated in the said gulph of St. Laurence. And as to what relates to the fishery out of the said gulph, his Most Christian Majesty's subjects shall not exercise the fishery, but at the distance of fifteen leagues from the coasts of the island of Cape Breton.

black, more unwholsome, and less intermittent: Fish on the latter part are dried not only much sooner but much better than on the former, where they are exceedingly liable to be worm-eaten: Yet do we, by confirming the XIIIth article of the treaty of Utrecht, grant to France this preheminent part of the island, and leave ourselves very little more than the southern. What must be the consequence! France, as she has heretofore done, will forestall and undersell us in all the foreign markets, which she is enabled to do by catching her fish much cheaper, curing them much better, and carrying them to market much sooner.

Article IV.

The King of Great Britain cedes the islands of St. Peter and of Miquelon, in full right, to his Most Christian Majesty, to serve as a shelter for the French fishermen; and his said Majesty obliges himself, on his royal word, not to fortify the said islands; to erect no buildings there but merely for the conveniency of the fishery; and to keep there only a guard of fifty men for the police.

again on the mere word of that perfidious court: Besides, in cases of restitution, the word of the contracting prince himself is sufficient, because the execution immediately follows the covenant, and when once performed cannot be recalled—But in this case, where the stipulation is dependent on a promise only, the French King should have promised not for himself alone, but for his successors; for, as the case now stands, it is manifest that his immediate successor may, without breach of treaty, fortify the islands of St. Peter and Miquelon, in what manner he thinks proper.

article regarding Dunkirk) it is really wonderful that any article in the present negotiation should be grafted on one contained in that treaty which she has for such a succession of years so openly and so repeatedly violated, and consequently forfeited every right whatever to claim under it. It seems the general opinion of the public, that France should have been utterly excluded from any share of that fishery, granted her by this stipulation, as being the *only* nursery for her seamen, whereby she is enabled to rival the power and commerce of this nation.—However, I will not absolutely contend for this point—But only observe, that if she must partake of this great cod-mine, it ought by no means to be on so advantageous a footing as that of the treaty of Utrecht. The island of Newfoundland is subject to prodigious fogs; the southern part much more so than the northern; they are thicker,

Remarks on Article IV.

One would be apt to imagine from the talk of a reliance on the royal word of Majesty, that it was the King of England thereby obliging himself to the performance of somewhat to the French—that would be natural, for it would be regarded—but I cannot help smiling to hear Louis XV. making such honourable professions.—French faith, in points of honour, are so well known (even to a proverb amongst the English) that we should never submit to rely

Article V.

Article V.

The town and port of Dunkirk shall be put into the state fixed by the last treaty of Aix-la Chapelle, and by former treaties: the Cunette shall remain as it now is, provided that the English engineers, named by his Britannick Majesty, and received at Dunkirk by order of his most Christian Majesty, verify, that this Cunette is only of use for the wholsomeness of the air, and the health of the inhabitants.

this time? If they have not been so (and which is the fact) how ridiculous must we appear in the eyes of all Europe, to renew an article she has so often broken, not to say so long treated with contempt? Besides, let us suppose a miracle for once—let us suppose, that France *bona fide* abides by this article—In time of peace where is the use of it to us? and in the time of war how soon might she re-instate them? Or if we thought proper to prevent her rebuilding them, at how much larger expence would it be to us to effect such prevention, by our being obliged to have a fleet continually stationed at and by turns in their harbour for that purpose? The shipping too of which, they might greatly annoy, by batteries from the heights that command it. In fact it would be less expensive to us to suffer the continuance of these fortifications, than to determine the contrary; because, in times of war, two or three ships cruising before the harbour, are a sufficient check to their privateers, the only means by which we need fear their annoying us through the protection of the fortifications of Dunkirk. We have given the affair of Dunkirk as an instance of French faith—pray let us add another. By the treaty of Utrecht they were to have the northern part of Newfoundland to dry their fish on, but were to build no fortifications; and how did they regard it? They even raised batteries, fortified every convenient place, and fired upon the subjects of Great-Britain when fishing on the northern coast of our own island, under the false pretence that they [the French] had an exclusive right to all the fishery in that quarter. Re-instated there, as they are to be, what security have we that they will not repeat such enormities?

Article VI.

In order to re-establish peace on the most solid and lasting foundations, and to remove for ever every subject of dispute with regard to the limits of the British and French territories on the continent of America; It is agreed, that, for the future, the confines between the dominions of his Britannick Majesty, and those of his most Christian Majesty, in that part of the world; shall be irrevocably fixed by a line drawn along the middle of the river Mississippi, from its source, as far as the river Iberville, and from thence, by a line drawn along the middle of this river, and of the lakes Maurepas and Pontchartrain, to the sea; and to this purpose, the most Christian King cedes in full right, and guaranties to his Britannick Majesty, the river and port of Mobile, and every thing that he possesses, or ought to have possessed, on the left side of the river Mississippi, except the town of New Orleans, and the island in which

it

Remarks on Article V.

The demolition of the fortifications of Dunkirk was first stipulated at the treaty of Utrecht, and has been renewed by several successive ones since, as appears by the very article now before us. For God's sake, is there any reason to believe that the French are become more sacred regards of treaties now than heretofore? If they had been religious observers of their most solemn engagements in these cases, there might have been no occasion for this article at

Remarks on Article VI.

The boundaries between the French dominions and ours, from the gulph of Mexico to the source of the Mississippi, appear to be here settled. Let me ask this question: where lies the true source of that river? I may venture to say, that it is as yet unknown; so that by the manner in which this article is conceived, it amounts to no more than this; that there is a place somewhere that may be called the source of the Mississippi, and this place, when found out, is to be our boundary; i. e. in case the French King shall not think proper to dispute it, by perceiving it more to his interest that it should lay in some other place. And if this should really happen, what is to be done? A new negotiation or a new war must ensue; another forty or fifty millions expended, and another forty or fifty thousand lives thrown away, to determine this point. Again, the same bad consequences may ensue, if the true source

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it is situated, which shall remain to France; provided that the navigation of the river Mississippi shall be equally free, as well to the subjects of Great-Britain, as to those of France, in its whole breadth and length, from its source to the sea, and that part expressly, which is between the said island of New Orleans, and the right bank of that river, as well as the passage both in and out of its mouth: it is further stipulated, that the vessels belonging to the subjects of either nation shall not be stopped, visited, or subjected to the payment of any duty whatsoever. The stipulations, in favour of the inhabitants of Canada, inserted in the second article, shall also take place, with regard to the inhabitants of the countries ceded by this article.

should never be really discovered, but the French think proper to attempt an imposition on us, by foisting upon us as the source, that which in fact is not. I shall illustrate my objection to this part of this article, by informing my reader that lands have been granted by the crown to private persons in America, bounding them by rivers and their sources, which have given rise to law suits concerning the true places of these sources, that have been in a course of law longer than the memory of any man living (as in the case of the patent of Cakyeat, in the county of Orange and province of New-York) and yet remaining undetermined. The reason is, that when you get up to near the source of the river, there are so many branches or rivulets meeting in the great one, the heads of which are at such equal distances

from the river they run into, that it is next to an impossibility to name which should be called the river, and consequently which is the true source. Moreover, there is no boundary in this article established to the westward of this source; so if there is any land between this source and the south-sea, to whom doth this land belong? I dare affirm, a French negotiator will immediately answer, that as the English boundaries are only defined as far as this river goes, *their* territories cannot extend *beyond it* to the westward, and consequently must be determined by a meridional or *north* line drawn from that point to the north pole, or as far as America reaches; and thus we might have a new set of French settlements all along the back of ours, as far as this meridional line extends, whereby every inconvenience we formerly suffered from Canada and Louisiana might be again revived in this new country. But on the contrary, if any friend to Great-Britain shall aver that the British dominions are to be bounded by a due *west* line drawn from this source to the great south-sea, and that all to the northward should be considered as English territory, to what tribunal shall we have recourse for the decision of a question of such importance to our country? Shall we lose a tract of land larger, perhaps, than France and Spain put together, or once more decide our disputes by the sword? This article, as well as that relative to Canada, appears to be fraught with such consequential uncertainties, that I fear the French mean it to be not the basis of a peace, but in fact the most proper foundation for a future war; and as it must certainly happen, that France will soon be in better circumstances than they now are, and continue improving in strength, it is undoubtedly best for us that these questions should be now determined, and not left to a future day when our enemy is stronger, and we, perhaps, weaker. We know what our strength and consequence now are, but neither men nor nations can answer for what they may be hereafter.

Article VII.

The King of Great Britain shall restore to France the islands of Guadeloupe, of Mariegalante, of Desirade, of Martinico, and of Belleisle; and the fortresses of these islands shall be restored in the same condition they were in when they were conquered by the British arms; provided that the term of eighteen months, to be computed from the day of the ratification of the definitive treaty, shall be granted to his Britannick Majesty's subjects, who may have settled in the said islands, and other places restored to France by the definitive treaty, to sell their estates, recover their debts, and to transport their effects, as well as their persons, without being restrained, on account of their

Remarks on Article VII.

By this article our valuable insular conquests from the French [Belleisle excepted, which may be set against Minorca] are restored to them, without any apparent equivalent.

religion,

religion, or under any other pretence whatsoever, except that of debts, or of criminal prosecutions.

Article VIII.

The most Christian King cedes and guaranties to his Britannick Majesty, in full right, the islands of Grenada and the Grenadines, with the same stipulations in favour of the inhabitants of this colony as are inserted in the second article for those of Canada. And the partition of the islands called neutral is agreed and fixed, so that those of St. Vincent, Dominico, and Tobago, shall remain in full right to England; and that that of St. Lucia shall be delivered to France, to enjoy the same in like manner in full right: the two crowns reciprocally guarantying to each other the partition so stipulated.

Remarks on Article VIII.

The French, by the recovery of St. Lucia (which has by much the finest harbour in that part of the world, and is well situated for a place of arms) acquire an island of infinitely more value than Grenada, the Grenadines, and all the neutral islands put together.

Article IX.

His Britannick Majesty shall restore to France the island of Goree in the condition it was in when conquered. And his most Christian Majesty cedes in full right, and guaranties to the King of Great Britain, Senegal.

dependent on the faith of the French King. The ill consequences that may possibly flow from which, need not be named.

Remarks on Article IX.

The island of Goree, by its strength, and the nature of its situation, is the terror of the African coast, and the key of the river Senegal: so that our valuable gum trade, so extremely necessary in our most important manufactures, is hereby in a manner rendered de-

Article X.

In the East Indies, Great Britain shall restore to France the several comptoirs which that crown had on the coast of Coromandel, as well as on that of Malabar, and also in Bengal, at the commencement of hostilities between the two companies in the year 1749, in the condition in which they now are, on condition that his most Christian Majesty renounces the acquisitions which he has made on the coast of Coromandel, since the commencement of hostilities between the two companies in the year 1749.

His most Christian Majesty, on his side, shall restore all that he shall have conquered from Great Britain in the East Indies during the present war. And he also engages not to erect any fortifications, or to keep any troops in Bengal.

Remarks on Article X.

There seems something pompous in his most Christian Majesty's talking of restoring all he shall have conquered from Great Britain in the East Indies. But with all his parade, it is a mere pompous nothing. All that he has, or can have to restore, will not amount to one-sixth equivalent of what we are to return back to him there. As to France engaging not to raise fortifications, or to keep any troops in Bengal, we have no more security for it, and his successor is no more bound to its performance, than what I have shewn in article IV, respecting the islands of St. Peter and Miquelon. And whenever the French may be in readiness for a fresh rupture, they may have at hand as many troops as they please at L'Isle de France (for they are prohibited forces only in Bengal) pour them into their settlements in a few days, and overrun the country in a trice.

Article XI.

The island of Minorca shall be restored to his Britannick Majesty, as well as Fort St. Philip, in the same condition they were in when they were conquered by the arms of the most Christian king; and with the artillery that was there at the taking of the said island, and of the said fort.

Remarks on Article XI.

The merchants trading to the Levant will thank our ministry for this article.

Article

Article XII.

France shall restore all the countries belonging to the electorate of Hanover, to the Landgrave of Hesse, to the Duke of Brunswick, and to the Count of La Lippe Buckebourg, which are or shall be occupied by the arms of his most Christian majesty. The fortresses of these different countries shall be restored in the same condition they were in when they were conquered by the French arms: and the pieces of artillery, which shall have been carried elsewhere, shall be replaced by the same number, of the same bore, weight, and metal. As to what regards hostages exacted or given during the war, to this day, they shall be sent back without ransom.

Article XIII.

After the ratification of the preliminaries, France shall evacuate, as soon as it can be done, the fortresses of Cleves, Wezel, and Guelders, and in general all the countries belonging to the King of Prussia; and at the same time the British and French armies shall evacuate all the countries which they occupy, or may then occupy, in Westphalia, Lower Saxony, on the Lower Rhine, the Upper Rhine, and in all the Empire; and each shall retire into the dominions of their respective sovereigns. And their Britannick and most Christian Majesties further engage and promise not to furnish any succour, of any kind, to their respective allies, who shall continue engaged in the present war in Germany.

Article XIV.

The towns of Ostend and Nieuport shall be evacuated by his most Christian Majesty's troops, immediately after the signature of the present preliminaries.

Remarks on Articles XII, XIII, XIV.

These three preceding articles are highly and equally advantageous to Great Britain and France.—In fact they have both of them been great sufferers by the German war.

Article XV.

The decision of the prizes made on the Spaniards by the subjects of Great Britain, in time of peace, shall be referred to the courts of justice of the admiralty of Great Britain, conformably to the rules established among all nations, so that the validity of the said prizes, between the British and Spanish nations, shall be decided and judged, according to the law of nations, and according to treaties, in the courts of justice of the nation who shall have made the capture.

Remarks on Article XV.

This article is equitable and judicious.

Article XVI.

His Britannick Majesty shall cause all the fortifications to be demolished which his subjects shall have erected in the bay of Honduras, and other places of the territory of Spain in that part of the world, four months after the ratification of the definitive treaty. And his Catholick Majesty shall not for the future suffer the subjects of his Britannick Majesty, or their workmen, to be disturbed or molested, under any pretence whatsoever, in their occupation of cutting, loading, and carrying away logwood; and for this purpose they may build, without hindrance, and occupy, without interruption, the houses and magazines necessary for them, for their families, and for their effects. And his said Catholick Majesty assures to them,
by

Remarks on Article XVI.

By the stipulations in this article we acknowledge the bay of Honduras to be Spanish territory, our subjects come under Spanish protection, and become tenants at will of a Spanish monarch; and yet the Spaniards never conquered that country, nor have any title to it, but that of the papal grant. By this acknowledgment, if it is confirmed by a definitive treaty, we have given up what we have been nobly struggling for ever since the reign of the glorious Elizabeth; namely, our RIGHT of cutting logwood, and the INDEPENDENCY of our Indian allies in that place; and consequently have admitted (by allowing it to be Spanish dominion) that all our logwood cutters there were plunderers and robbers,

By this article, the intire enjoyment of what is above stipulated.

bers. If this were to be confirmed by a definitive treaty, what a disgrace would it be to our own reputation, and that of our ancestors!—I cannot surely mistake the words of the article.—They are, “The bay of Honduras, and other places of the territory of Spain in that part of the world.”—To this may be added, that our submission to demolish our fortifications (which have hitherto been the best safeguard to us and our Indian allies) in the midst of a series of conquests and successes, must lessen our dignity in the eyes of all Europe.

Article XVII.

His Catholick Majesty desists from all pretension which he may have formed to the right of fishing about the island of Newfoundland.

If I rightly understand the word *DESISTS*, as it here stands, it can only mean for the *present*; for *this* time: it does not exclude his Catholick Majesty from renewing his pretensions *hereafter*—the verb *desist*, without additional words by way of explanation, can only mean a *forbearance* for a time. I hope, in the definitive treaty, it will be put “*DESISTS FOR EVER*, he and his heirs, from any pretensions to fishing about the *ISLAND* and the *BANKS* of Newfoundland.” The public will then do all honour (as indeed they do now to their intentions, for this may be only an oversight) to the ministry, who, by such an article, will avoid all future disagreeable disputes on so important a point.

Remarks on Article XVII.

His pretensions were ever so destitute of a colourable foundation, that we cannot thank him for this concession.—“His Catholick Majesty *DESISTS* from all pretensions, &c.!”—

Article XVIII.

The king of Great-Britain shall restore to Spain all that he has conquered in the island of Cuba, with the fortrefs of the Havanna; and that fortrefs, as well as all the other fortresses of the said island, shall be restored in the same condition they were in when they were conquered by his Britannick Majesty's arms.

Remarks on Articles XVIII. XIX.

By these articles we give up to Spain, an island worth all the rest of the Caribbees put together*: and for what? for so much of Spanish Florida as lies to the east and south-east of the Mississippi, a barren country, without commerce or agriculture! A country from which his Catholick majesty never drew a single dollar! A country totally detached from all the rest of his dominions! Of no use to him, and of no advantage to us.

Article XIX.

In consequence of the restitution stipulated in the preceding article, his Catholick Majesty cedes and guaranties, in full right, to his Britannick Majesty, all that Spain possesses on the continent of North America, to the east, or to the south east, of the river Mississippi. And his Britannick Majesty agrees to grant to the inhabitants of this country, above ceded, the liberty of the Catholick religion: he will, in consequence, give the most exact and the most effectual orders, that his new Roman Catholick subjects may profess the worship of their religion according to the rites of the Roman church, as far as the laws of Great-Britain permit. His Britannick Majesty farther agrees, that the Spanish inhabitants, or others who would have been subjects of the Catholick King in the said countries, may retire, in all safety and freedom, where-

* For the great importance of this island to Great Britain, the reader is referred to the pamphlet just published, intitled “One more Letter to the People of England,” which merits the perusal of every person in this kingdom; as it sets our national affairs in a much clearer light, gives a more just idea of the importance of our conquests, and points out the paths which this nation ought to pursue, beyond any other writer I have seen.

ever they please; and may sell their estates, provided it be to his Britannick Majesty's subjects, and transport their effects, as well as their persons, without being restrained in their emigration, under any pretence whatsoever, except debts, or criminal prosecutions: the term limited for this emigration, being fixed to the space of eighteen months, to be computed from the day of the ratification of the definitive treaty. It is further stipulated, that his Catholick Majesty shall have power to cause all the effects, that belong to him, either artillery, or others, to be carried away.

Article XX.

The King of Portugal, his Britannick Majesty's ally, is expressly included in the present preliminary articles. And their most Christian and Catholick Majesties engage to re-establish the ancient peace and friendship between them and his most faithful Majesty: and they promise,

1st. That there shall be a total cessation of hostilities between the crowns of Spain and Portugal, and between the Spanish and French troops, on the one side, and the Portuguese troops, and those of their allies, on the other, immediately after the ratification of these preliminaries: and that there shall be a like cessation of hostilities between the respective forces of the most Christian and Catholick Kings, on the one part, and those of the most Faithful King, on the other, in all other parts of the world, as well by sea as by land; which cessation shall be fixed on the same epochs, and under the same conditions, as that between Great Britain, France, and Spain, and shall continue till the conclusion of the definitive treaty between Great Britain, France, Spain, and Portugal.

2^d. That all his most Faithful Majesty's fortresses, and countries, in Europe, which shall have been conquered by the Spanish and French armies, shall be restored in the same condition they were in when they were conquered: and that, with regard to the Portuguese colonies in America, or elsewhere, if any change shall have happened in them, all things shall be put again on the same footing they were before the present war. And the most Faithful King shall be invited to accede to the present preliminary articles as soon as shall be possible.

Article XXI.

All the countries and territories, which may have been conquered, in any part of the world whatsoever, by the arms of their Britannick and most Faithful Majesties, as well as by those of their most Christian and Catholick Majesties, which are not included in the present articles, either under the title of cessions, or under the title of restitutions, shall be restored without difficulty, and without requiring compensations.

Remarks on Articles XX. XXI.

By these articles each party is reciprocally benefited, and therefore they are most highly proper. It may not, however, be amiss to observe, that as by the badness of the roads, the military capacity of the Count la Lippe, and the intrepidity of the British troops, the Spaniards were retiring from Portugal before these articles were ratified; Spain is undoubtedly the most advantaged by this stipulation, however plausible it may appear in that crown and France in so much favouring his most Faithful Majesty. At the same time it may not be improper to remark, that in this article it says, that the cessation of hostilities between the respective powers, "shall continue *till* the conclusion of the definitive treaty;" and as the ratification of preliminaries does not bind the contracting powers to absolutely proceed to a definitive treaty, it should seem that a cessation of hostilities must nevertheless continue; let any one power utterly refuse to accede to such definitive treaty.—In this case Great-Britain has the advantage of her enemies; for unless they violate the terms of the preliminaries they have signed, she may retain her conquests as peaceably as if they were absolutely ceded to her by a definitive treaty.

Article XXII.

As it is necessary to assign a fixed epoch for the restitutions, and the evacuations, to be made by each of the high contracting parties, it is agreed, that the British and French troops shall proceed, immediately after the ratification of the preliminaries, to the evacuation of the countries which they occupy in the empire, or elsewhere, conformably to the XIIth and XIIIth articles.

The island of Belleisle shall be evacuated six weeks after the ratification of the definitive treaty, or sooner if it can be done.

Guadeloupe, Desirade, Mariegalante, Martinico, and St. Lucia, three months after the ratification of the definitive treaty, or sooner if it can be done.

Great Britain shall likewise, at the end of three months after the ratification of the definitive treaty, or sooner if it can be done, enter into possession of the river and of the port of Mobile, and of all that is to form the limits of the territory of Great Britain, on the side of the river Mississippi, as they are specified in the VIth article.

The island of Gorée shall be evacuated by Great Britain, three months after the ratification of the definitive treaty; and the island of Minorca by France, at the same epoch, or sooner if it can be done. And according to the conditions of the IVth article, France shall also enter into possession of the islands of St. Peter, and of Miquelon, at the end of three months.

The Comptoirs in the East Indies shall be restored six months after the ratification of the definitive treaty, or sooner if it can be done.

The island of Cuba, with the fortress of the Havanna, shall be restored, three months after the ratification of the definitive treaty, or sooner if it can be done: and, at the same time, Great Britain shall enter into possession of the country ceded by Spain according to the XIXth article.

All the fortresses, and countries, of his most Faithful Majesty, in Europe, shall be restored immediately after the ratification of the definitive treaty: and the Portuguese colonies, which may have been conquered, shall be restored in the space of three months in the West Indies, and of six months in the East Indies, after the ratification of the definitive treaty, or sooner if it can be done.

In consequence whereof, the necessary orders shall be sent by each of the high contracting parties, with reciprocal passports for the ships which shall carry them, immediately after the ratification of the definitive treaty.

Article XXIII.

All the treaties, of what nature soever, which existed before the present war, as well between their Britannick and Most Christian Majesties, as between their Britannick and Catholick Majesties, as also between any of the above-named powers and his Most Faithful Majesty, shall be, as they are in effect, renewed, and confirmed, in all their points, which are not derogated from by the present preliminary articles, notwithstanding whatever may have been stipulated to the contrary by any of the high contracting parties: And all the said parties declare, that they will not suffer any privilege, favour, or indulgence, to subsist, contrary to the treaties above confirmed.

Remarks on Article XXII.

The epoch settled for these restitutions is so sudden, that our merchants and subjects who have settled there, must be great sufferers thereby; the time fixed for that purpose being by far too short for them to collect in their debts that may be due to them in the restored colonies. And after the departure of the British government from thence, they can have no expectations of redress, but in the well known justice of the house of Bourbon, which I fear is by far too slender a security for a British merchant to rely on.

Remarks on Article XXIII.

This article cannot but be highly pleasing to the British nation, and the more especially that part of it who have imbibed such strange ideas about the consequence of the famous *family compact*: For by the confirming all former treaties, "in all their points, which are not derogated from by the present preliminary articles, notwithstanding whatever may have been stipulated to the contrary by any of the high contracting powers," this famous compact must be utterly annulled and annihilated.

Article XXIV.

The prisoners made respectively by the arms of their Britannick, Most Christian, Catholick, and Most Faithful Majesties, by land, and by sea, shall be restored reciprocally, and *bonâ fide*, after the ratification of the definitive treaty, without ransom, paying the debts they shall have contracted during their captivity. And each crown shall respectively pay the advances which shall have been made for the subsistence and maintenance of their prisoners, by the sovereign of the country where they shall have been detained, according to the receipts and attested accounts, and other authentick titles which shall be furnished on each side.

Article XXV.

In order to prevent all causes of complaints, and disputes, which may arise, on account of ships, merchandizes, and other effects, which may be taken by sea, it is reciprocally agreed, that the ships, merchandizes, and effects, which may be taken in the channel, and in the north seas, after the space of twelve days, to be computed from the ratification of the present preliminary articles, shall be reciprocally restored on each side.

That the term shall be six weeks for the prizes taken, from the channel, the British seas, and the north seas, as far as the Canary islands inclusively, either in the ocean, or in the Mediterranean.

Three months from the said Canary islands as far as the equinoctial line, or equator.

Lastly, six months, beyond the said equinoctial line, or equator, and in all other parts of the world, without any exception, or other more particular description of time and place.

Article XXVI.

The ratifications of the present preliminary articles shall be expedited in good and due form, and exchanged in the space of one month, or sooner if it can be done, to be computed from the day of the signature of the present articles.

In witness whereof, we the underwritten ministers plenipotentiary of his Britannick Majesty, of his Most Christian Majesty, and of his Catholick Majesty, in virtue of our respective full powers, have signed the present preliminary articles, and have caused the seal of our arms to be put thereto,

Done at Fontainebleau, the Third

Day of November, 1762.

B E D F O R D, C. P. S.
(L. S.)

C H O I S E U L, DUC
DE PRASLIN.
(L. S.)

E L M A R Q. DE
G R I M A L D I.
(L. S.)

There can be nothing more said upon these articles, but that they are highly just and necessary.

Declaration,

Declaration, signed at Fontainebleau, the 3d of November 1762, by the French Plenipotentiary, relating to the XIIIth Article of the Preliminaries.

HIS most Christian Majesty declares, that in agreeing to the XIIIth article of the preliminaries, signed this day, he does not mean to renounce the right of acquitting his debts to his allies; and that the remittances which may be made on his part, in order to acquit the arrears that may be due on the subsidies of preceding years, are not to be considered as an infraction of the said article.

In witness whereof, I, the under-written minister plenipotentiary of his most Christian Majesty, have signed the present declaration, and have caused the seal of my arms to be put thereto.

Done at Fontainebleau, the 3d day of November 1762.

(L. S.) CHOISEUL, Duc de Praslin.

there was no occasion for annexing this declaration to them. And if they are not authorized by the preliminaries, the French King cannot, by this declaration, legally assume any liberty of remitting any such arrears: for if that was in his power, he might, with the same parity of reasoning, at any time, by a like declaration, deviate from any other article in these preliminaries.

It may indeed be said, that the payment of his debts to his allies cannot be deemed succouring them, and consequently is no infraction of the 13th article. But I believe a little reflexion will shew the fallacy of this argument. This will appear, by having a retrospect to the article itself; "*And their Britannick and most Christian majesties further engage and promise, not to furnish* ANY SUCCOUR, OF ANY KIND, *to their respective allies.*" Now if his most Christian Majesty should remit any arrears due from him to any of his allies who shall continue the war in Germany, is it not thereby *succouring* them to all intents and purposes? Would not such remittances assist them in furnishing the various means for war? and can there be even a French politician, with all his artifice and strength of quibbling, who can have the effrontery to advance, that this is NOT *succouring* such allies?—In a word, this declaration is so obvious a violence of the 13th article, that it scarce needs a refutation.

Answer to the French King's declaration.

THIS declaration manifestly shews the French King's intention to continue his assistance to his allies, by remittances: and since he doth not specify what those arrearages amount to, it is equally manifest that that monarch hereby reserves to himself a liberty to make what remittances he pleases, under the name of debts and arrears. Such a duplicity, in the beginning of a negociation, gives us small grounds to hope that the candour of the French court has received any improvement from their misfortunes.

Besides, as this declaration is additional to the preliminaries, being made by the French King of his own authority, subsequent to the signature, and not appearing to be approved of, admitted, signed, and ratified, by the court of Great Britain, it is undoubtedly a flagrant deviation from them. If the liberty here reserved is included in the preliminaries,

GENERAL REMARKS

ON THE

W H O L E.

WE have considered singly each article of this curious negotiation, let us now complexly view this amazing web of politicks; we will not, like one of our news-papers, say dictated, but in a great measure contrived, by the refined negotiators of the ingenious court of Versailles. Let us hereby discover, if possible, the drift of their elaborate scheme, and in time detect the snare that seems therein laid, by our Janus-like foes, for the naval power and independency of Great Britain. The French Monarch we find has extricated himself from the German war, and we also find him anxious to assist his allies by remittances not warranted by the treaty; and immediately on the signature of the preliminaries, protesting against their efficacy, in so far as they may be construed obstacles to his making those remittances, and thereby providing his friends in the empire with the sinews and essence of war. Spain has got clear of a war, which was not only likely to have cut out more than sufficient work for all her troops, but even threatned the spreading the terrors of war in the very bowels of that haughty nation. By these means the armies of the House of Bourbon are now at liberty to pursue, by underhand measures, projects of the most dangerous nature. That insidious enemy has for a long time applied all her powers for the destruction of the liberties of Europe; and what use she now intends to make of her troops (for she never disbands them) will easily appear, if we attentively observe the chief object the French negotiators have kept in their eye in the course of these preliminaries. In Africa we find the court of Versailles struggling for the Gibraltar of that quarter of the globe, and anxious to keep in her hands the key of the river Senegal. In America we find her no less concerned to preserve within her own power the entrance of the

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the river Mississippi, the door of the only passage whereby we can have admittance to our new settlements on that river. We there also find the court of Madrid despoiling us of our fortifications on the Bay of Honduras, and by such a covenant, which appears more reasonable to be agreed to from the conquered to the conquerors, than from the victors to the vanquished, forcing us into measures that must speedily render us odious in the eyes of our Indian allies on that spot, as well as amongst those contiguous tribes in our new acquired territories, by cession from France, and by no means glorious in those of all mankind. In Asia France retrieves her lost empire, and with a becoming lustre re-erects her abolished power. She there regains all those habitations from whence she formerly issued forth to the great annoyance of our subjects, and the most imminent danger of our power and independency in that part of the world. Thus provided with harbours for her forces in all quarters of the globe, can we hesitate as to the intentioned destination, sooner or later, of those armies which have for several years disturbed the repose of Europe? Can we be ignorant of the reason that influenced the French King to detain that small territory which he reserves for himself at the side of the Mississippi beneath the river Iberville? Or can we account for why he appears so careful of the religion of his *quondam* subjects? a point in which he could have no concern, unless he entertained the hope of one day being reinstated in the supreme authority over them, their lands, and their possessions.

I should remark here that the reserved territory below the river Iberville, lies betwixt the lands now ceded to us, on the river Mississippi, and the ocean; and consequently may tend to serve the French, at any time they please, as a barrier to prevent our people from an immediate correspondence with the Bay of Mexico. In the interim, this very spot will serve them in a most important point; I mean no less than that of keeping up an intimate and illicit correspondence (for no place in nature could be so well situated for such a purpose) with ALL our new Roman Catholick subjects, as well French as Spaniards; so that the one may be ready to revolt, as soon as the others are in a condition to march. A small dominion surrounded with British territories can only be made a point of some such insidious purpose.

Bengal, in order to keep up an appearance of regarding the letter of the treaty, may be filled with military subjects; but those subjects dressed like merchants; whose uniforms shall lie in their chests till the time for pulling off their masquerade habits shall opportunely arrive.

As brave and warlike a people as the English are, they are military only in times of war; in peace they are a mere commercial nation: On the contrary, the French are *all* (the church excepted) and *always*, such as they are, soldiers. The consequence of this may possibly hereafter be seen at

Goree.

Goree. There, whilst our people are quietly following their occupations as merchants and as traders, the French King may transport what numbers of troops he pleases and erect what magazines he thinks proper; so that here a scheme may easily be formed and executed for destroying at once all our African settlements, while our people are intent on the only object that occupies their minds in times of peace.

These circumstances put together, leave little room to doubt but France may now be engrafting on this peace a scheme for a new war; a war in which ALL her forces will most probably be directed against our foreign settlements, those in the East Indies, in Africa, and in America, in particular. The island of Orleans, and the adjoining territory below the Iberville, as I observed before, may be covered with French uniforms, ready at the appointed signal, like an impetuous torrent, to over-run our infant settlements on the continent, and afterwards subdue those of our more ancient colonies.

As every particular on the part of the French, in this negotiation, declares these insidious purposes to be their probable if not true aim, I earnestly hope, and I do not doubt, that those illustrious personages, who are endowed with wisdom to penetrate, patriotism to oppose, and power to controul every base and perfidious scheme of the political, restless, and ambitious house of Bourbon, will detect, expose, and properly guard against every deep-laid design of such a base and wily enemy ; and more particularly deprive her of those resources, and those harbours, which may be nurseries for her seamen, and rendezvouses for her soldiers, and thereby enable her to vie with our navy, and to over-run our foreign settlements in every quarter of the globe.

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P O S T S C R I P T.

HERE, with the greatest pleasure, I must do the ministry the justice to applaud their firmness in not permitting the French King's complaint, relative to ships taken before the declaration of war, to be mentioned in the preliminaries, and thereby precluding that claim from any right of being discussed in the negotiation previous to the definitive treaty, or indeed ever more to be taken notice of: for by not being mentioned in this treaty, it is thereby implicitly renounced, and cannot come under the cognizance of the present negotiators.

F I N I S.

